

# LA PORTE ISD CATASTROPHIC SICK LEAVE BANK

## Catastrophic Sick Leave Bank

The District has established a sick leave bank that full-time and permanent part-time District employees may join through contribution of local leave. Leave contributed to the sick leave bank shall be solely for the use of participating employees. The CSLB plan year shall run from September 1 through August 31.

An employee who is a member of the sick leave bank may request leave from the sick leave bank if the employee or a member of the employee's immediate family experiences a catastrophic illness or injury and the employee has exhausted all paid leave. If the employee is unable to request leave from the sick leave bank, a member of the employee's family or the employee's authorized agent may submit the request.

The Superintendent or designee shall develop regulations for the operation of the sick leave bank that address the following:

- A. Membership in the sick leave bank, including the number of days an employee must donate to become a member
- B. Procedures to request leave from the sick leave bank
- C. The maximum number of days per school year a member employee may receive from the sick leave bank
- D. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests
- E. Other procedures deemed necessary for the operation of the sick leave bank

All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.

### **Catastrophic Sick Leave Bank Administrative Guidelines**

The Catastrophic Sick Leave Bank is a pool of local leave days established on a voluntary basis by full-time and permanent part-time District staff members to be used by any member of the CSLB who suffers a catastrophic personal illness/injury or a catastrophic illness/injury of an immediate family member (spouse, children, employee's parents) which extends beyond their own accumulated paid leave.

### **ADMINISTERING THE CATASTROPHIC SICK LEAVE BANK**

The Catastrophic Sick Leave Bank shall be administered by a Catastrophic Sick Leave Bank Committee (CSLBC) representing teachers, administrators, professional support, operations, and staff members.

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The CSLBC shall have the responsibility of receiving requests for use of the CSLB, verifying the validity of requests, recommending approval or denial of the requests, and communicating its decision to the member and to the Payroll Office.

The CSLBC shall be appointed by the Superintendent or designee with the advice of directors, supervisors, and principals.

The Catastrophic Sick Leave Bank Committee shall be comprised of CSLB members representative of the following groups:

|   |          |
|---|----------|
| Director of Finance - Chairperson (or designee) | 1        |
| Professional Support Staff                      | 1        |
| School Nutrition Staff                          | 1        |
| Maintenance Staff                               | 1        |
| Transportation Staff                            | 1        |
| Paraprofessional Staff                          | 1        |
| Elementary Teachers                             | 2        |
| Secondary Teachers                              | <u>2</u> |
|   | 10       |

Members shall serve two-year staggered terms, with half being appointed on alternate years.

The CSLBC shall meet annually to welcome new committee members and review procedures.

The decision making process of a request for sick leave days will be conducted via email. Each committee member will receive the information about each request and vote to approve or deny the request by email response. A simple majority vote of the participating CSLBC members shall be required for a request to be approved.

The Director of Finance or designee shall serve as Chairperson and permanent member of the CSLBC.

### **CONTRIBUTING TO THE CATASTROPHIC SICK LEAVE BANK**

All fulltime or permanent part-time employees of the District, who have two (2) days of earned local leave as of August 1 of the current school year, are eligible for initial membership in the Catastrophic Sick Leave Bank. Eligible employees may select to become members of the Catastrophic Sick Leave Bank through the Benefit Solver website viewable by all employees when electing/declining benefits selections during the annual Open Enrollment period. Employees new to the district will have 31-days from their date of hire to apply for Catastrophic Sick Leave Bank membership.

New membership in the Catastrophic Sick Leave Bank requires a 90-day waiting period before a new member is able to access the CSLB. The waiting period will start on September 1<sup>st</sup> for new members joining during annual enrollment or the actual enrollment date for new hires enrolling at their hire date.

## LA PORTE ISD CATASTROPHIC SICK LEAVE BANK

To be a member of the Catastrophic Sick Leave Bank, a staff member shall contribute two (2) days of local leave in the year they join to become vested in the CSLB. One (1) local leave day annually thereafter will be automatically deducted, unless revoked in writing, to continue their membership.

Local leave days contributed to the Catastrophic Sick Leave Bank not used in a school year shall accumulate in the CSLB and will not be returned to staff members.

No CSLB member shall be required, for purposes of maintaining status in the Catastrophic Sick Leave Bank, to contribute more local leave days than other members. However, the CSLB shall have the authority to request additional days from current members if needed.

Eligible staff members who do not elect to join the Catastrophic Sick Leave Bank at the open enrollment period in a school year will not be permitted to join until the subsequent annual open enrollment period of the next school year.

Members of the CSLB may contribute up to ten (10) accrued local leave days to the CSLB upon leaving District employment by retirement or resignation.

### **USING THE CATASTROPHIC SICK LEAVE BANK**

The use of the CSLB will be limited to the number of days in the CSLB or the number of days added to the CSLB following an emergency request by the CSLB to its membership.

Members must use all of their available paid leave before receiving leave from the CSLB.

The maximum number of sick leave days that can be granted to an individual staff member shall be 60 working days.

Any CSLB member that applies for and receives days from the CSLB will be required to rejoin the following year, contribute two (2) local leave days that year and will automatically contribute one (1) local leave day annually thereafter, unless revoked in writing, to remain a member in subsequent years.

The number of days granted in any one school year will not exceed the number of duty days a member is scheduled to work in that school year according to the District Assignment Calendar for his/her position with the District.

In no case will granting of leave from the CSLB cause a member to receive more than his/her annual salary.

Leave grants from the CSLB shall be in units of not more than forty (40) consecutive working days. At the end of the 40 days, the member may apply for an extension of not more than 20 additional working days (maximum of 60 for any plan year) by submitting an updated statement from the physician on the appropriate form. If a member does not use all of the days granted from the CSLB, the unused Catastrophic Sick Leave Bank days will be returned to the CSLB.

## LA PORTE ISD CATASTROPHIC SICK LEAVE BANK

The Catastrophic Sick Leave Bank may only be used for the contributor's own personal catastrophic illness/injury or the catastrophic illness/injury of an immediate family member (spouse, children, and employee's parents). The illness or injury must be documented by a physician's statement.

The term *catastrophic illness* implies an illness of a very serious and immediate nature, normally involving the need for extended absence and/or some hospital confinement. Elective surgery will be reviewed by the Committee on an individual basis to determine the appropriateness of the request.

Normal pregnancy with normal delivery is not considered to be a catastrophic illness covered under the Catastrophic Sick Leave Bank.

The CSLB may not be used by members who qualify for Worker's Compensation benefits or any other non-insurance salary reimbursement.

Within ten (10) working days of receipt of a member's request to the CSLB, the CSLBC shall review the request and render its decision to the member and the Payroll Office.

All Request for CSLB days forms shall be available in the Payroll Office and in the L:Drive/Business Office/Forms folder. All forms shall be sent to any staff member upon request.

**All decisions regarding the sick leave bank may be appealed in accordance with DGBA (LOCAL), beginning with the Superintendent or designee.**

### **FILING AN APPLICATION TO THE CATASTROPHIC SICK LEAVE BANK**

New membership in the Catastrophic Sick Leave Bank requires a 90-day waiting period before a new CSLB member is able to access the CSLB.

Application for use of the CSLB shall be made on the required form and submitted to the CSLB through the Payroll Office.

All requests to draw upon the Catastrophic Sick Leave Bank must be accompanied by the physician's statement, on the form provided by the CSLBC, confirming the cause of illness or confinement and certifying the existence of a disability to perform assigned duties. The form must be personally signed by the physician. The CSLBC will not honor any physician's statement unless it is on the official *Physician's Statement* form provided by the CSLBC or the district's FMLA form obtained from the Human Resource Office.

An applicant may be required to undergo medical review by a second opinion physician of the CSLBC's choice at the expense of the staff member. The physician's report shall be sent directly to the chairperson of the CSLBC before the Committee may act upon a request to draw upon the Catastrophic Sick Leave Bank.

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Each separate request to draw upon the CSLB must include a new Physician's Statement on the appropriate Catastrophic Sick Leave Bank form.

All requests to draw upon the CSLB shall be made within seven (7) days of the staff member's use of his/her last paid leave day.

In case a member's illness prevents him/her from personally applying for a grant, his/her application may be submitted to the CSLBC by his/her authorized agent or member of his/her family on his/her behalf.

An applicant may submit a request for an extension of a CSLB leave grant before the original grant expires by using the regular Catastrophic Sick Leave Bank Request form accompanied by the newly-signed physician's statement. A new CSLB request can be submitted by an employee should a request for an extension not be submitted prior to the original grant expiring. However, the new request may not include retroactive approval of the lapsed time.

### **TERMINATION OF MEMBERSHIP IN THE CATASTROPHIC SICK LEAVE BANK**

A member of the CSLB will lose the right to use the benefits of the CSLB by:

- A. Termination of employment with the District
- B. Being on a suspension without pay status
- C. Any abuse or misuse of the rules of the Catastrophic Sick Leave Bank
- D. Being on an approved leave of absence for reasons other than described in these guidelines

### **MAINTAINING CATASTROPHIC SICK LEAVE BANK RECORDS**

Copies of all *Sick Leave Grant Request* forms shall be marked for approval or denial by the CSLB. Following such action, the CSLB shall disperse copies of the forms to the member and to the Payroll Office.

The Business Office shall maintain all records regarding operation of the CSLB.

The Business Office shall report the status of the Catastrophic Sick Leave Bank at any time upon request of the CSLBC chairperson.

The Business Office shall provide information to the CSLBC upon its request for any data maintained in the Business Office files with regard to an applicant's use of or investment in the Catastrophic Sick Leave Bank.